

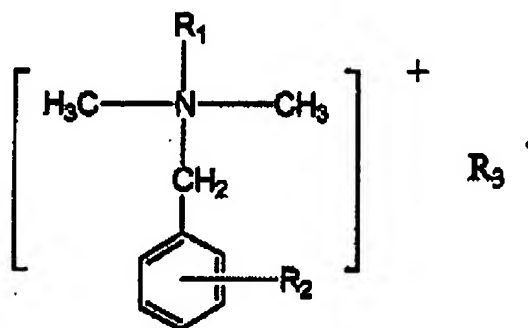
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### Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

### Listing of Claims:

1. (Currently Amended) A substance preservative comprising a mixture of compounds of the formula



where

$R_1$  = C<sub>8</sub>-C<sub>20</sub>-alkyl

$R_2$  = H, methyl, ethyl, propyl and isopropyl

$R_3$  = sorboyl [(1) trans [(1) trans-CH<sub>3</sub>[(1) CH[(=)]CH[(=)]CH[(=)]CH[(=)]COO(1),  
 ]benzoyl- sorbate or benzoate anion

and either

(i) 60 % of  $R_1$  in said mixture is C<sub>14</sub> alkyl; 30% of  $R_1$  in said mixture is C<sub>16</sub> alkyl; 5% of  $R_1$  in said mixture is C<sub>12</sub> alkyl and 5% of  $R_1$  in said mixture is C<sub>18</sub> alkyl

or

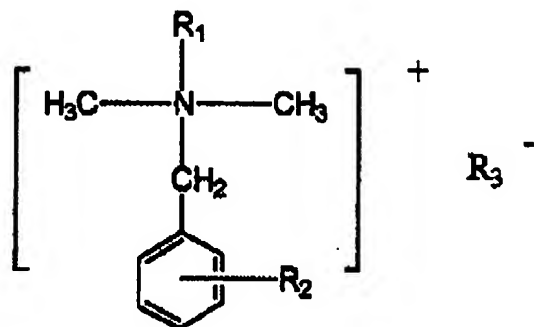
(ii) 68% of  $R_1$  in said mixture is C<sub>12</sub> alkyl and 32% of  $R_1$  in said mixture is C<sub>14</sub> alkyl.

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2. (Canceled) Please cancel Claim 2.
3. (Canceled) Please cancel Claim 3.
4. (Canceled) Please cancel Claim 4.
5. (Canceled) Please cancel Claim 5.
6. (Canceled) Please cancel Claim 6.
7. (Canceled) Please cancel Claim 7.
8. (Canceled) Please cancel Claim 8.
9. (Canceled) Please cancel Claim 9.
10. (Canceled) Please cancel Claim 10.
11. (Canceled) Please cancel Claim 11.
12. (Canceled) Please cancel Claim 12.
13. (Original) A composition comprising a compound as claimed in claim 1 and an additive.
14. (Original) The composition as claimed in claim 13, wherein the additive is one or more substances selected from the group consisting of suspension aids, thickeners, carriers and film-formers.

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15. (Currently Amended) A process for preparing the a compound as claimed in claim  
~~15~~  $^{+}[[,]]$



where

$R_1$  =  $C_8$ - $C_{20}$ -alkyl;

$R_2$  = H, methyl, ethyl, propyl or isopropyl;

$R_3$  = a sorbate or benzoate anion,

which process comprises exchanging the halide anion of a quaternary ammonium halide for a sorbate or benzoate anion by

dissolving a quaternary ammonium salt of the cation above in water;

adding an aqueous solution of a sorbic acid salt or a benzoic acid salt;

removing the water from the reaction products formed by the addition;

adding an organic solvent to separate the compound from the corresponding counterions.

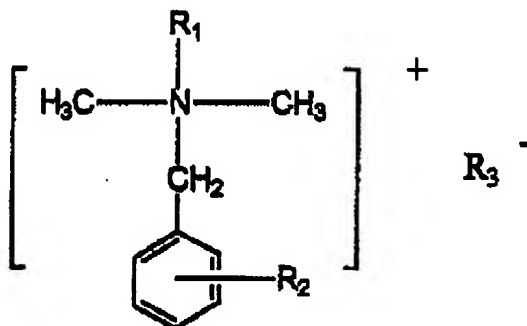
16. (New) A process according to Claim 15, wherein the sorbic acid salt is potassium sorbate and the benzoic acid salt is sodium benzoate.

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17. (New) A composition comprising a compound of the formula



where

$R_1$  =  $C_8$ - $C_{20}$ -alkyl;

$R_2$  = H, methyl, ethyl, propyl or isopropyl;

$R_3$  = a sorbate or benzoate anion,

wherein said composition is selected from a food, an animal feed, a cosmetic, a cleaning composition for articles or machines in contact with humans or foods, packaging, a drug, a surface treatment, and a paint, said composition exhibiting a pH of less than 7.0.

18. (New) A composition according to Claim 17, wherein said composition is food, said food including said compound in amounts ranging from about 0.005 to 1.0 percent by weight.

19. (New) A composition according to Claim 18, wherein said compound is a surface treatment applied as a solution.

20. (New) A composition according to Claim 19, wherein said surface treatment includes said compound in amounts of up to 10 % by weight.

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21. (New) A composition according to Claim 17, wherein said composition is animal feed, said animal feed including said compound in amounts ranging up to 2.5 percent by weight.

22. (New) A composition according to Claim 17, wherein said composition is a cosmetic, said cosmetic including said compound in amounts ranging from about 0.01 to 0.5 percent by weight.

23. (New) A composition according to Claim 17, wherein said composition is a cleaning composition, said cleaning composition including said compound in amounts ranging from about 0.005 to 0.5 percent by weight .

24. (New) A composition according to Claim 17, wherein said composition is packaging, said packaging including said compound in amounts ranging from about 1 to 10 g/m<sup>2</sup>.

25. (New) A composition according to Claim 22, wherein said packaging is food packaging.

26. (New) A composition according to Claim 17, wherein said composition is a drug, said drug including said compound in amounts ranging from about 0.005 to 0.5 percent by weight .

27. (New) A composition according to Claim 17, wherein said composition is a paint, said paint including said compound in amounts ranging from about 0.05 to 2.0 percent by weight.